

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.5042/2015

Bhimrao Somnathji Gondane and others

...Versus...

The Collector, Amravati, Tq. and Distt. Amravati and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri N.A. Gawande, Advocate for petitioners
Shri A.S. Fulzele, AGP for respondent nos.1 and 2

**CORAM : SMT. VASANTI A. NAIK AND
A.I.S. CHEEMA, JJ.**

DATE : 31.08.2015

By this petition, the petitioners seek a direction to the District Election Officer to delete the names of the respondent nos.5 to 14 from the final voters' list and include the names of the petitioners in the same.

The election programme for conducting the elections to the Agricultural Produce Market Committee is declared on 4.8.2015. The petition has been filed on 27.8.2015. The petitioners had admittedly not raised objection to the voters' list within three days before the last date for filing of the nominations. According to the petitioners, they are entitled to be included as the voters in the voters' list in view of the result in an election to the Jalgaon Arvi Co-operative Society on 23.8.2015.

In the circumstances of the case, the direction, as sought by the petitioners cannot be granted. Granting of any such directions would result in interference in the election process that has commenced on 4.8.2015. The valid nominations have already been declared on 25.8.2015. The judgment reported in **2010 (Supp.) Bom. C.R. 827 (Bhatu Devidas Patil & anr....Versus...State of Maharashtra & ors.)** and relied on by the learned Counsel for the petitioners would be relevant for deciding the case on merits. However, we are not inclined to interfere in the writ petition, as entertaining the same would result in interfering with the election process after the list of valid nominations has been declared.

In view of the aforesaid, the writ petition is disposed of with no order as to costs.

JUDGE

JUDGE

Wadkar